

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONATHAN MORGAN,

Plaintiff,

CV F 05 00620 REC WMW P

vs.

ORDER

CALIF. DEPT. OF CORRECTIONS,

Defendant.

Plaintiff is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 12132 et seq. Plaintiff filed this action on May 10, 2005. The court has screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A and finds that it appears to state cognizable claims for relief against defendant California Department of Correction.

Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate for the following defendants:

CALIFORNIA DEPARTMENT OF CORRECTIONS

2. The Clerk of the Court shall send plaintiff one USM-285 form, one summons, a Notice of Submission of Documents form, an instruction sheet and a copy of the complaint filed May 10, 2005.

- 1 3. Within **thirty (30) days** from the date of this order, plaintiff shall complete the
- 2 attached Notice of Submission of Documents and submit the completed Notice to
- 3 the court with the following documents:
 - 4 a. Completed summons;
 - 5 b. One completed USM-285 form for each defendant listed above; and
 - 6 c. Two copies of the endorsed complaint filed May 10, 2005.
- 7 4. Plaintiff need not attempt service on defendants and need not request waiver of
- 8 service. Upon receipt of the above-described documents, the court will direct the
- 9 United States Marshal to serve the above-named defendants pursuant to Federal
- 10 Rule of Civil Procedure 4 without payment of costs.
- 11 5. The failure to comply with this order will result in a recommendation that this
12 action be dismissed.

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16 IT IS SO ORDERED.

17 Dated: February 15, 2006
18 mmkd34

19 /s/ William M. Wunderlich
20 UNITED STATES MAGISTRATE JUDGE